

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
April 6, 1999, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation - Paul Schulte, Church of Jesus Christ of Latter Day Saints, Derby
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations
- Distinguished Service Citation
- Wichita's Promise Youth Community Service Awards

PUBLIC AGENDA

- 1. Comments by James Stillman.

UNFINISHED BUSINESS

- 2. Public Hearing: Federal Emergency Management Agency Flood Hazard Mitigation Applications. (District V)

Applications for flood mitigation programs must be submitted to the Kansas Office of Emergency Management on, or before, April 26, 1999.

RECOMMENDED ACTION: Close the public hearing; adopt the Resolutions; approve the funding source; and authorize the Mayor to sign.
- 3. CU-500 Conditional Use Request to Allow Vehicle Sales on Property Located at the Southeast Corner of Rock

Road and Harry Street. (District II)

The City Council referred this item to the MAPC and CPO 2 on February 9, 1999, for reconsideration.

MAPC Recommendation: Approve the Conditional Use request.

CPO Recommendation: Deny the Conditional Use request.

Staff Recommendation: Deny the Conditional Use request.

RECOMMENDED ACTION: Concur with the findings of the MAPC and approve the request subject to conditions; OR deny the request.

4. Municipal Energy Agency.

The proposal allows the City to enter into Interlocal Agreements with other area communities with common interests to form a Municipal Energy Agency.

RECOMMENDED ACTION: Approve the agreements; and authorize the Mayor to sign.

NEW BUSINESS

5. Petition for Water Distribution System to Serve Maple Hill Addition - South of Maple, West of 135th Street West. (District V)

A Petition has been received for a water distribution system. The Petition represents 68.9% resident owners in the improvement district.

RECOMMENDED ACTION: Approve Petition with reduced improvement district; determine assessments; adopt the Resolution; and authorize Staff to select design engineer.

6. Proposed Ordinance Amendments Regarding Filing for City Council Elections.

On March 2, 1999, the City Council considered amendments to the City Election Ordinance.

RECOMMENDED ACTION: Approve Ordinance and Charter Ordinance on first reading.

7. City Work Program.

To address the problem of non-violent offenders being found guilty in Municipal Court and not paying fines, initiation of a City Work Program will be considered.

RECOMMENDED ACTION: Approve the program; and authorize the transfer of eligible Community Service Block Grant funds or Court revenues to finance the program.

8. HUD Consolidated Plan - 1999/2000 One Year Action Plan.

To receive federal funding allocations, the City is required to prepare a One Year Action Plan.

RECOMMENDED ACTION: Approve the proposed 1999/2000 One Year Action Plan as an amendment to the Consolidated Plan; and authorize implementation of the Public comment period.

(11:30 a.m.)

9. General Obligation Airport Temporary Note Sale: Series A, 1999 (Tax Exempt) & Series B, 1999 (Subject to AMT).

General Obligation Airport Temporary Notes are being offered to provide financing for authorized capital improvement projects at Mid-Continent Airport.

RECOMMENDED ACTION: Direct opening and reading of bids; award sale; adopt the Ordinances; and authorize the Mayor to sign the Request for Declaration of Emergency.

10. Waste Tires - Status Report.

Options for addressing the growing problem of the illegal disposal of waste tires will be reviewed by the City Council.

RECOMMENDED ACTION: Receive and file.

11. City Credit Card Program.

It is proposed that the City of Wichita implement a Credit Card Program and allocate revenues from such a program to designated services focusing on areas of public art, cultural, recreational and entertainment activities.

RECOMMENDED ACTION: Approve the program; and authorize contract for services.

CITY COUNCIL AGENDA

12. Proclamations:

--Professional Secretaries Week
--World Trade Week

RECOMMENDED ACTION: Authorize issuance of the Proclamations.

CONSENT AGENDA

13. Report of the Board of Bids and Contracts Dated April 5, 1999.

RECOMMENDED ACTION: Receive and file the report; approve the Contracts; and authorize the Mayor to sign.

14. Applications for Licenses to Retail Cereal Malt Beverages:

Renewal 1999 (Consumption on Premises)

Paul A. Eck	Family Home Association, Inc.* 3302 West 13th Street
Kevin Raven	Taco Tico* 1230 South Rock Road
Kevin Raven	Taco Tico* 3131 North Rock Road
Kevin Raven	Taco Tico* 929 North Broadway
Kevin Raven	Taco Tico* 1118 West Douglas
Kevin Raven	Taco Tico* 1303 North Tyler
Kevin Raven	Taco Tico* 8629 West Irving
Kevin Raven	Taco Tico* 460 North West Street
Kevin Raven	Taco Tico* 603 East 47th Street South
Kevin Raven	Taco Tico* 1645 East MacArthur
Kevin Raven	Taco Tico* 3425 East Douglas
Kevin Raven	Taco Tico* 311 East Pawnee
Kevin Raven	Taco Tico* 3255 East Harry
<u>(Consumption off Premises)</u>	
Helen Lu	KC Gas & Groceries #2 1161 North Broadway
John R. Leftwich	Coastal Mart #7303 3810 North Woodlawn
John R. Leftwich	Coastal Mart #9102 7101 East Lincoln
John R. Leftwich	Coastal Mart #9112 10723 West Kellogg
John R. Leftwich	Coastal Mart #9114 8008 East 21st Street
John R. Leftwich	Coastal Mart #9157 1025 West 21st Street
John R. Leftwich	Coastal Mart #9166 7990 East Central
John R. Leftwich	Coastal Mart #9189 8330 East Kellogg
<u>New Establishment</u>	<u>1999 (Consumption on Premises)</u>
Sandra Franco	Taqueria El Paisa* 2420 South Oliver
<u>New Operator</u>	<u>1999 (Consumption on Premises)</u>
Mary J. Sally Fallott	The Stetson* 1021 West Harry
<u>Special Event</u>	<u>April 24-25, 1999</u>

Tamara Steinert

Newman University Renaissance
3100 McCormick Avenue
Faire

May 7-8-9, 1999

Norton Jackson

Mexico Magico
City Lot at Rock Island & Waterman

*General/Restaurant -- 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve the licenses subject to Staff review and approval.

15. Plans and Specifications:

- a. 1999 Sanitary Sewer Reconstruction Program, Phase 2, Eaton Place - south of Douglas, east of Broadway. (468-82978/(620261)/669386) Traffic to be maintained during construction using flagperson and barricades. City Council approval date: 1/26/99. (District I)
- b. 1999 Sewer Response Plan Raise Buried Manholes, Set 1. (468-82979/620253/669378) Traffic to be maintained during construction using flagpersons and barricades. City Council approval date: 1/26/99. (District V)

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids by 10:00 a.m., April 16, 1999.

16. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

17. Preliminary Estimates:

- a. 1999 Contract Maintenance Micro-Surface Seal of Asphalt Streets at various locations. (132274/112000) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II, IV, and VI) - \$75,810.00
- b. 26th Street North, from the east line of Vassar to the west line of Wellesley Post and Christy's College Crest Addition - north of 25th Street North, east of Hillside. (472-82997/765255/490-627) Traffic to be maintained through construction. City Council approval date: 8/11/98. (District I) - \$49,050.00
- c. Waco, from 32nd Street North to 33rd Street North Gibbons Gardens Addition - north of 29th, east of Arkansas. (472-82899/764753/490-577) Traffic to be maintained through construction. City Council approval date: 1/6/98. (District VI) - \$123,900.00
- d. 1999 Enhanced Maintenance Concrete Repairs, Phase C at various locations. (706648-C/405218) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 10/13/98. (Districts II and III - \$261,500.00
- e. 1998-1999 CDBG Neighborhood Revitalization Area (NRA) Street Improvements at various locations. (600973/806034) Traffic to be maintained through construction using flagpersons and barricades. City Council approval date: 7/1/98. (District I, IV, and VI) - \$282,000.00

RECOMMENDED ACTION: Approve and file.

18. Minutes of Advisory Boards/Commissions:

CPO Northeast Council 1, 3-22-99
CPO East Council 2, 3-22-99
CPO Southeast Council 3, 3-25-99
CPO North Central Council 6, 3-24-99
Police and Fire Retirement System, 2-24-99
Sister Cities Advisory Board, 3-5-99
Wichita Employees's Retirement, 2-24-99
Wichita Transit Advisory Board, 2-25-99

RECOMMENDED ACTION: Receive and file.

19. Annual Reports of Advisory Boards/Commissions.

Commission on the Status of People with Disabilities.

RECOMMENDED ACTION: Receive and file.

20. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve the street closures/uses.

21. Agreements/Contracts:

- a. Easement encroachment. (District V)
- b. Easement encroachment. (District V)
- c. Respread special assessments: Huntington Place Sixth Addition - south of 13th Street, west of Maize. (District V)
- d. Respread special assessments: The Legacy Addition - west of Meridian, south of MacArthur. (District IV)
- e. World Trade Center-services.
- f. Fire station relocation.

RECOMMENDED ACTION: Approve the Agreements/Contracts; and authorize the Mayor to sign.

22. Acquisition of Property: Magdalen Church Complex.

RECOMMENDED ACTION: Approve the Contract; and authorize the Mayor to sign the necessary documents.

23. Playground Improvement Plan.

RECOMMENDED ACTION: Approve the plan; authorize budget adjustments and transfer of funds to capital project; and authorize Staff to initiate bid selection process.

24. Computer System Enhancements.

RECOMMENDED ACTION: Approve the projects.

25. Eaton Hotel Gap Financing.

RECOMMENDED ACTION: Approve the financing; approve amendments to developer and grant agreements; and authorize the Mayor to sign.

26. Request for City Participation in War Memorial.

RECOMMENDED ACTION: Receive and file, or take desired action.

27. Certificates of Canvass.

RECOMMENDED ACTION: Receive and file.

28. Second Reading Ordinances: (First read March 30, 1999)

a. Assessments for water distribution system - Project No. 448-89216 - (District VI)

b. Assessments for water distribution system - Project No. 448-89244 - (District VI)

RECOMMENDED ACTION: Adopt the Ordinance.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5 p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

*Consent Items

*29. V-2150 - Request to Vacate a Utility Easement Located at the Southeast Corner of 33rd Street North and Amidon. (District IV)

MAPC Recommendation: Approve vacation of utility easement.

Staff Recommendation: Approve vacation of utility easement.

RECOMMENDED ACTION: Follow the recommendation of the Metropolitan Area Planning Commission; approve the vacation order; and authorize the Mayor to sign.

*30. V-2159 - Request to Vacate a Portion of a Drainage Easement Located in an Area South of 13th Street and North of Warren Circle. (District V)

MAPC Recommendation: Approve vacation of a portion of a drainage easement.

Staff Recommendation: Approve vacation of a portion of a drainage easement.

RECOMMENDED ACTION: Follow the recommendation of the Metropolitan Area Planning Commission and approve the vacation order; and authorize the Mayor to sign.

*31. V-2160 - Request to Vacate a Portion of a Drainage Easement Located at the Southeast Corner of Dora and 119th Street West. (District V)

MAPC Recommendation: Approve vacation of a portion of a drainage easement.

Staff Recommendation: Approve vacation of a portion of a drainage easement.

RECOMMENDED ACTION: Follow the recommendation of the Metropolitan Area Planning Commission and approve the vacation order; and authorize the Mayor to sign.

*32. A/D 98-111 - Plat of Waco Township Addition Located on the North Side of 55th Street South, on the West Side of Hoover Street.

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the Plat, and authorize the Mayor to sign.

33. S/D 98-117 - Plat of Deatherage Addition Located South of 45th Street North, on the East Side of Seneca. (District VI)

MAPC Recommendation: Approve the Plat.

Staff Recommendation: Approve the Plat.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the Mayor to sign; and adopt the Resolutions.

34. Z-3311 - Zone Change Request from "LC" Limited Commercial to "GC" General Commercial, Located South of 51st Street South and East of Hydraulic. (District III)

MAPC Recommendation: Approve, subject to conditions of a protective overlay #50.

CPO Recommendation: Approve, subject to conditions.

Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change, subject to additional conditions of a protective overlay; instruct the Planning Department to forward the Ordinance for first reading when the Plat is forwarded to the City Council; or

2. Return the application to the MAPC for reconsideration.

*35. Z-3312 - Zone Change Request from "SF-6" Single Family to "GC" General Commercial, Located at the

Southeast Corner of 47th Street South and Lulu Avenue. (District IV)

MAPC Recommendation: Approve.

CPO Recommendation: Approve.

Staff Recommendation: Approve.

RECOMMENDED ACTION: 1. Concur with the findings of the MAPC and approve the zone change; place the Ordinance establishing the zone change on first reading; or
2. Return the application to the MAPC for reconsideration.

- *36. SCZ-0734 - Platting Extension to March 26, 2000, for Property Approved for Rezoning from "SF-20" Single-Family Residential to "LI" Limited Industrial Located South of 29th Street North and West of Greenwich. (District II)

RECOMMENDED ACTION: 1. Grant a Platting extension for SCZ-0734 to March 26, 2000; provided, however, that should a Plat of this property not be recorded by that date, the zone change shall be considered denied and closed; or
2. Deny the request and close the zone change.

- *37. A 99-11 - Request the Annexation of Property Generally Located at the Southeast Corner of 47th Street South and Meridian Avenue (District IV)

RECOMMENDED ACTION: Approve the annexation request and first reading of the Ordinance.

Adjournment

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